

JAP:NJM

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

- against -

BRANDON SEDA,

Defendant.

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EASTERN DISTRICT OF NEW YORK, SS:

THOMAS A. THOMPSON, being duly sworn, deposes and states that he is a Special Agent with the Federal Bureau of Investigation ("FBI"), duly appointed according to law and acting as such.

In or about and between January 2017 and March 2017, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendant BRANDON SEDA did knowingly receive any visual depiction, the production of such visual depiction having involved the use of one or more minors engaging in sexually explicit conduct and such visual depiction was of such conduct, using any means or facility of interstate or foreign commerce or that has been mailed, or has been shipped or transported in or affecting interstate or foreign commerce or which contains materials which have been mailed or so shipped or transported, by any means including by computer.

(Title 18, United States Code, Section 2252(a)(2)).

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COMPLAINT

(T. 18, U.S.C. § 2252(a)(2))

The source of your deponent's information and the grounds for his belief are as follows:

1. I have been a Special Agent with the FBI since December 2005 and am currently assigned to the New York Office. Since September 2007, I have been assigned to a Crimes Against Children squad and have investigated violations of criminal law relating to the sexual exploitation of children. I have gained expertise in this area through classroom training and daily work conducting these types of investigations. As a result of my training and experience, I am familiar with the techniques and methods used by individuals involved in criminal activity to conceal their activities from detection by law enforcement authorities. As part of my responsibilities, I have been involved in the investigation of numerous child pornography cases and have reviewed hundreds of photographs and video files depicting minors (less than eighteen years of age) being sexually exploited by adults. Through my experience in these investigations, I have become familiar with methods of determining whether a child is a minor.

2. I am familiar with the information contained in this affidavit based on my own personal participation in the investigation, my review of documents, my training and experience, and discussions I have had with other law enforcement personnel concerning the creation, distribution and proliferation of child pornography. Additionally, statements attributable to individuals herein are set forth in sum and substance and in part.

3. Law enforcement observed a Bittorrent network user sharing child pornography from the IP address XX.XXX.XXX.59 on or about January 18, 2017 and March 21, 2017. On or about April 16, 2017, an FBI Special Agent working in an undercover

capacity (the “Undercover Agent”), used a Bittorrent application via an Internet-connected computer located within the FBI New York Division to conduct undercover investigations into the Internet distribution and possession of child pornography. During this investigation, a computer that was sharing child pornography was located on the Bittorrent file sharing network. The Undercover Agent downloaded four video files containing child pornography, including toddlers. The sharing client’s IP address was recorded along with the date and time of the file transfer. The sharing client reported that it was using Bittorrent client “uTorrent 3.5.” Your Affiant reviewed the files downloaded. Several of these files, which are available for the Court’s review, are described as follows:

- a. **000030.avi** is a compilation video involving several victims. The video is 34 minutes in length. One of the victims is a nude prepubescent girl, approximately four years old; an adult male is engaging in anal sex with this girl.
- b. **000110.mpg** is a video of an adult male and a prepubescent girl, approximately six years old, engaging in oral sex, vaginal sex, and digital penetration of the girl’s vagina and anus.
- c. **000111.avi** is a video of an adult male and a nude prepubescent girl, approximately eight years old, engaging in oral sex.

4. The IP address assigned to the computer sharing the above files was XX.XXX.XXX.59 on the date referenced above. The Bittorrent application used by the FBI captures the IP address from which the files were sent. All of the above files were downloaded from the IP address XX.XXX.XXX.59. When users on this file sharing network download files, the computers sharing files can be identified by their IP addresses. Investigators can view and describe the completely downloaded files. Open source database searches revealed the IP address XX.XXX.XXX.59 was registered to Optimum Online.

5. Records obtained from Optimum Online by administrative subpoena showed that on or about April 16, 2017, the IP address XX.XXX.XXX.59 was associated with an address in Brooklyn (the “Brooklyn Address”). The account was listed in the name of the defendant’s mother.

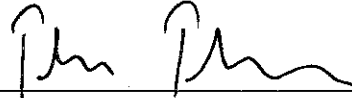
6. On June 26, 2017, the Honorable Steven M. Gold, United States Magistrate Judge, issued a warrant authorizing a search of the Brooklyn Address. On June 27, 2017, law enforcement agents executed the search warrant at the Brooklyn Address.

7. The defendant BRANDON SEDA was at the Brooklyn Address at the time of the execution of the search warrant. Law enforcement agents participated in a voluntary interview of the defendant at that time. He was advised of the identities of the interviewing agents and the nature of the interview. The defendant was advised that he was not under arrest and that he could discontinue the interview at any time.

8. In sum and substance, the defendant BRANDON SEDA confirmed that he resides at the Brooklyn Address. He further admitted that he has been receiving and viewing child pornography for approximately one year. He admitted to using peer-to-peer file sharing applications and an Internet chat program to find and receive child pornography.

9. The defendant BRANDON SEDA also identified several of his electronic devices, including a cellular device and a tablet computer, which the defendant admitted that he used to find and receive child pornography. Law enforcement agents conducted a preliminary review of the contents of the devices, which revealed approximately hundreds of files containing child pornography, including the video described supra in Paragraph 3(c).

WHEREFORE, your deponent respectfully requests that the defendant
BRANDON SEDA be dealt with according to law.



THOMAS A. THOMPSON
Special Agent
Federal Bureau of Investigation

Sworn to before me this
27th day



THE HONORABLE STEVEN M. GOLD
UNITED STATES MAGISTRATE JUDGE
EASTERN DISTRICT OF NEW YORK